



2828

PATENT
ATTORNEY DOCKET NO. 041514-5171

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mitsuru NISHITSUKA et al.

U.S. Application No.: 09/516,731

Filed: March 1, 2000

For: SEMICONDUCTOR LASER DEVICE
PROVIDING LASER LIGHT OF TWO
WAVELENGTHS AND METHOD OF
FABRICATING THE SAME

)
)
) Group Art Unit: 2828
)
) Examiner: A. Rodriguez
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Commissioner for Patents
Washington, D.C. 20231

Sir:

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AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated November 6, 2003 (Paper No. 11).
2. Additional papers enclosed:

- ☒ Request for Approval of Drawing Change (with marked-up version of Fig. 1)
- ☐ Information Disclosure Statement
- ☐ PTO Form-1449 _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$ 205.00
<input type="checkbox"/> three months	\$ 930.00	\$ 465.00
<input type="checkbox"/> four months	\$ 1,450.00	\$ 725.00

Extension of time fee due with this request: \$0.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	13	minus	20	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	3	0	x \$84 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge the amount of \$_____ for _____ extension of time fee or fee for claims to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 31, 2003

By: Robert J. Hollingshead
Reg. No. 44,479

Customer No. 09629
MORGAN, LEWIS & BOCKIUS LLP
 1111 Pennsylvania Avenue, N.W.
 Washington, D.C. 20004
 202-739-3000



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Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT

In response to the Office Action dated November 6, 2002 (Paper No. 11), the period for response to which extends through February 6, 2002, please amend the above-identified application as follows:

IN THE DRAWINGS:

In a Request for Approval of Drawing Change filed concurrently herewith, Applicants respectfully request amendment to Figure 1 as indicated in red on the attached drawing sheet.

IN THE CLAIMS:

Please amend claims 1, 2, 4-6, and 14-17 as follows:

1. (Amended) A semiconductor laser device including first and second laser units, each unit having a ridge type structure and each unit comprising a multilayer structure body made of

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A. Ford
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